

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

PATRICK LANG, #1033904

§

VS.

§

CIVIL ACTION NO. 6:09cv461

DIRECTOR, TDCJ-CID

§

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge John D. Love. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that Petitioner's claims of physical assault by another offender, discrimination, and TDCJ's violation of its safety and security procedures are **DISMISSED WITHOUT PREJUDICE** and that the remaining claims are **DISMISSED WITH PREJUDICE**;

ORDERS that all motions not previously ruled on are **DENIED**; and

ORDERS that Petitioner is **DENIED** a certificate of appealability.

So **ORDERED** and **SIGNED** this 4th day of June, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE